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Attorneys for Plaintiffs and the Class

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON
EUGENE DIVISION

DOUGLAS PRESSNELL and JILL
CLARK, on behalf of themselves and all
others similarly situated,

Plaintiffs,

v.

KETTLE FOODS HOLDINGS, INC., a
Delaware corporation,

Defendant.

Case No. 6:22-cv-00468-MK

STIPULATED MOTION TO DISMISS
WITHOUT PREJUDICE OR AWARD
OF ATTORNEY FEES OR COSTS TO
ANY PARTY

Pursuant to FRCP 23(e) and 41(a)(1)(A), the parties, through their respective attorneys, hereby stipulate and agree that the above-entitled action should be dismissed in its entirety without prejudice and without award of attorney fees or costs to any party.

Pursuant to FRCP 23(e)(1), no notice should be provided to the proposed class. The defendant has not answered or otherwise responded to the complaint. No compensation or anything else is being provided to the plaintiffs or plaintiffs' counsel by the defendant in exchange for dismissing the action or anything else. This voluntarily dismissal does not limit the rights of the proposed class members and does not bind them to any judgment or resolution of their claims.

For these reasons, the parties respectfully request that the Court enter an order and judgment dismissing the action without prejudice, award of attorney fees or costs to any party, or requiring that notice be provided to the proposed class.

Pursuant to LR 11-1(b)(2), counsel signing below consent to their signatures on this submission.

Dated this 23rd day of August, 2022.

<p>STOLL STOLL BERNE LOKTING & SHLACHTER P.C.</p> <p><u>s/ Cody Berne</u> Keith S. Dubanevich, OSB No. 975200 Cody Berne, OSB No. 142797 209 SW Oak Street, Suite 500 Portland, OR 97204 Telephone: (503) 227-1600 Facsimile: (503) 227-6840 Email: kdubanevich@stollberne.com cberne@stollberne.com</p>	<p>PERKINS COIE LLP</p> <p><u>s/ Julia Markley</u> Julia Markley, OSB No. 000791 1120 NW Couch, 10th Floor Portland, OR 97209 Telephone: (503) 727-2000 Facsimile: (503) 727-2222 Email: JMarkley@perkinscoie.com</p>
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<p>and</p> <p>Steffan T. Keeton, (<i>pro hac vice forthcoming</i>) THE KEETON FIRM LLC 100 S Commons, Suite 102 Pittsburgh, PA 15212 Telephone: (888) 412-5291 Email: stkeeton@keetonfirm.com</p> <p><i>Attorneys for Plaintiffs and the Class</i></p>	<p>and</p> <p>David T. Biderman (<i>pro hac vice to be filed</i>) DBiderman@perkinscoie.com 505 Howard Street, Suite 1000 San Francisco, California 94105 Telephone: +1.415.344.7000</p> <p>and</p> <p>Charles C. Sipos (<i>pro hac vice to be filed</i>) CSipos@perkinscoie.com 1201 Third Avenue, Suite 4900 Seattle, Washington 98101-3099 Telephone: +1.206.359.8000</p> <p><i>Attorneys for Defendant Kettle Foods Holdings, Inc.</i></p>
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